United Nations A/HRC/31/NGO/74

General Assembly

Distr.: General
18 February 2016

English only

Human Rights Council
Thirty-first session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 February 2016]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.16-02405(E)

Please recycle

Religious Freedom in the Tibetan Autonomous Region and adjacent regions where Tibetans live

Introduction

Article 18 of the Universal Declaration of Human Rights (UDHR) states, "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance." The UDHR article on religious freedom is a further guarantee and enshrined in the two leading international bills of rights; the International Convention on Civil and Political Rights (ICCPR) and the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

Furthermore, the People's Republic of China being an active member of International community, especially one of the forty- five members of the UN Human Rights Council, is obliged to enact domestic legislation reflecting its international responsibilities. However, China continues to place restrictions and hindrances on the free practice of religious freedom. The right to practice Tibetan Buddhism is systematically denied by regulating religious activity in the name of "stability" and "state security".

Religious Repression

The deteriorating environment for Tibetan Buddhism worsened significantly after the Tibetan protests of March 2008. The Chinese authorities have adopted various policies and approaches to control religious belief and activities of Tibetans. Tibetan monasteries, which are centers for Buddhist studies are turned to home for government campaigns. Political indoctrination has replaced monastic education. Political indoctrination is being carried out through series of "patriotic re-education" session in monasteries and nunneries. During the session, monks and nuns are forced to denounce the Dalai Lama and to show their allegiance to the Chinese state by writing exams, and displaying portraits of Chinese communist leaders.

The Chief of the Communist Party in the Tibet Autonomous Region, Chen Quanguo, stated "let the monks and nuns in the temples and monasteries have a personal feeling for the party and government's care and warmth; let them feel the party's benevolence, listen to the party's words and follow the party's path." Monasteries that have not been involved in any kind of protest were given payment of 30,000 yuan (USD 4,841) to 50,000 yuan (USD 8,069).

A document obtained by the Tibetan Center for Human Rights and Democracy reveals the Chinese authorities' systematic efforts to convert Tibetan monastic institutions into Chinese government offices and the monastic population into Chinese Communist Party members in the Tibet Autonomous Region (TAR).

Document no. 224 issued by the Driru County government on 19 September 2015 contains a set of regulations divided into three chapters, 24 sections and 74 articles. The regulation identifies and targets 24 activities through which religious institutions (monasteries, temples and hermitages) will be "purged and reformed" in Driru County. For instance, The Chinese authorities will control all financial activities of religious institutions including offerings made to reincarnate or senior monks. Every Thursday, monks and nuns at all religious institutions in Driru County are required to attend political education sessions. The Chinese authorities will keep an account of all monastic properties, and retain the sole authority to decide over their storage and repair.

Control over Monastic Institutions

In 2009, the Chinese government issued a regulation to further tighten and expand existing means of government control and monitoring of Tibetan Buddhist institutions. The regulation titled "Management Measures for Tibetan Buddhist Monasteries, Order No. 8 ('the Management Measures') sets up Democratic Management Committees (DMC), consisting of elected religious representatives and citizens of the local village or neighborhood committees. The Democratic Management Committees are charged with an array of duties, ranging from administering and educating temple staff, to "organizing teachings regarding relevant laws, rules, regulations of the State and the country's ethnic and religious policies, and national unity" (or "patriotic education"), to maintaining finances, donations, heritage, fire safety, environmental protection, and sanitation. The DMCs and the temples are subject to government supervision and inspections, especially by the Religious Affairs Bureaus ("RAB") and village level "peoples" or "masses" committees.

Interference over Reincarnation of Lamas and Tulkus
In 2007, China's State Administration of Religious Affairs issued a new regulatory measure called "Order No. Five". The regulation dictates that all reincarnations of "living Buddhas" (reincarnated lamas or trulkus) in Tibetan Buddhism must be government-approved, otherwise they are illegal or invalid. The regulation imposes a ban on search for the reincarnates of prominent religious leaders, and prohibits recognized religious leaders from entering their monasteries. Instead, the Chinese government is the only authority that may determine whether a particular individual who dies can be reincarnated, whether a monastery is entitled to have a reincarnate in residence, and whether an individual is to be recognized as a trulku.

Spate of Self-Immolation protests
Since 2009, 142 Tibetans have self-immolated. 123 have died on the scene or shortly thereafter, whereas the conditions and whereabouts of surviving self-immolators are unknown.

Tenzin Phuntsok, a former monk of Karma monastery, died after self-immolation protest on 6 December 2011 in Chamdo, TAR. He wrote in his last testament "Don't be disheartened, never be afraid. How long can we trust the policy which forbids us from practicing our religion?"

26-year old Sonam Topgyal from Kyegudo, Yulshul, Tibet Autonomous Prefecture died after a self-immolation protest against Chinese rule on 09 July 2015. He wrote in his last testament:
"The main aspiration of us the people is for Gyalwa Tenzin Gyatso to be able to return to the Potala Palace. Since we do not have freedom to voice the truth about our conditions, I had to sacrifice my life to be a witness of truth to the world in general and specifically to the Chinese government and people."

The series of protests, including self-immolations, are undoubtedly the expression of unbearable situation where Tibetans live under constant fear and suppression. The Chinese government responded to the self-immolations with more repressive policies, heightened restrictions, detentions and by giving harsh sentences to friends and relatives of self-immolators.

Enforced Disappearance, Detention and Harsh Sentencing of Religious Heads
Enforced disappearance, detention and harsh sentencing of Tibetans, including religious heads are rampant in the Tibet Autonomous Region.

Gedhun Choekyi Nyima, the 11th Panchen Lama: The Panchen Lama is one of the most revered religious leaders. On 14 May 1995, Gedhun Choekyi Nyima, aged six, was recognised by the Dalai Lama as the reincarnation of the 10th Panchen Lama. Within three days, he was abducted by the Chinese authorities, thus making him one of the world's youngest political prisoners. Since then, for 20 years, Gedhun Choekyi Nyima and his family's whereabouts remain unknown.

On 8 April 2011, the United Nations' Working Group on Enforced and Involuntary Disappearances has publicly stated that Gedhun Choekyi Nyima disappeared in 1995 when he was six years old. The Chinese authorities have continually refused to divulge any information about him or his whereabouts, making his case an enforced disappearance.

A number of human rights bodies including the UN Committee against Torture, the UN Committee on the Rights of the Child, as well as the Special Rapporteur on Freedom of Religion or Belief, have all called for the Panchen Lama's whereabouts to be made known. However, China has rejected these pleas to allow contact with the Panchen Lama and continues to detain him.

Raids in Monasteries and Nunneries
The Chinese security forces often conduct night raids in monasteries to search images of the Dalai Lama, CDs of his religious teachings and any other object that is deemed 'subversive' to the party. Monks and nuns are often subjected to arbitrary detention, beating and torture during these night raids, some may even disappear.

In the month of October 2015, according to Radio Free Asia, Chinese authorities expelled 106 Tibetan Buddhist nuns from Jada Garden Khachoeling convent and demolished several residential quarters. The same source mentioned that the nuns were accused of non-compliance with the so-called patriotic re-education (condemning the Dalai Lama.)

Conclusion

China has signed a wide range of human rights treaties, and has also ratified numerous international conventions on human rights protections. But the disparity between China's participation in all international human rights frameworks by signing and ratifying various international human rights treaties and covenants and on other hand their proper implementation is significant.

Recommendations:

Society for Threatened Peoples calls on the Human Rights Council to urge the People's Republic of China to:

- Immediately stop the "Patriotic Re-education" campaigns in the Tibet Autonomous Region and adjacent regions where Tibetans live;
- Stop interfering in the centuries-old Tibetan Buddhist reincarnation system;
- Allow Tibetan monastic institutions to carry religious ceremonies and teach Buddhist monastic education;
- Allow monks and abbots (traditional heads of monastery) to take active administrative roles.